



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

M. DeRaud and A. Gambel

Serial No: 09/954,491

Filed: September 11, 2001

For: **A METHOD OF CONFIGURING
A SLICE OF PIZZA-TYPE PIE
AND AN APPARATUS FOR
PREPARING A PIZZA-TYPE
PIE**

) Group Art Unit: 1761

) Examiner: Tran Lien, Thuy

**RESPONSE TO NOTICE OF NON-
COMPLIANT AMENDMENT DATED
JULY 2, 2004**

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being mailed to the Patent and Trademark Office on this date December 29, 2004 addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By: 

Magdalena Blackmer

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

This paper is being submitted in response to the Notice of Non-Compliant Amendment dated December 21, 2004, stating that "the drawings should read 'Replacement Sheet' in the margin."

Applicants respectfully submit that the drawings WERE NOT AMENDED. The only drawings in the documents submitted on December 2, 2004 were attached as an exhibit to the Declaration of Marc J. Halperin. These drawings are a copy of the formal drawings filed in the application, and the Halperin Declaration referenced these drawings. Therefore, there were no changes or amendments to the drawings.


In view of this misunderstanding, applicants submit that the original response filed on December 2, 2004 was compliant. Therefore, no additional requests for extensions of time are believed to be needed.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No.04-0822. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: December 29, 2004

By: 
Samuel S. Lee
Reg. No. 41,938

Dergosits & Noah LLP
Four Embarcadero Center, Suite 1450
San Francisco, CA 94111
Tel: (415) 705-6377
Fax: (415) 705-6383